

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
MARTINSBURG**

STEPHEN DAVIS,

Plaintiff,

v.

**CIVIL ACTION NO.: 3:15-CV-135
(GROH)**

B. VON BLANCHENSEE, et al.,

Defendants.

ORDER DISMISSING CASE FOLLOWING NOTIFICATION

On December 7, 2015, the *pro se* Plaintiff, Stephen Davis, filed a complaint seeking monetary damages for additional days he alleges he was incarcerated because the Defendants refused to follow the sentencing judge's recommendations. On that same date, United States Magistrate Judge Robert W. Trumble issued a Notification to the Plaintiff that the instant action would be dismissed in thirty (30) days because the Plaintiff had not complied with the Local Rules of Prisoner Litigation, which require that all initiating documents be on court-approved forms. The Notification further advised the Plaintiff that if he wished to pursue his complaint, he would be required to re-file it on the court-approved form which was provided to him with the Notification.

On December 21, 2015, the Plaintiff filed his complaint on the court-approved form, and it has been assigned Civil Action No. 1:15-CV-235. Accordingly, pursuant to the terms of the Notification, this action is hereby **DISMISSED**, the pending motion [ECF No. 2] is **DENIED AS MOOT** and all matters relating to the Plaintiff's civil rights claims shall proceed in Civil Action No. 1:15-CV-235.

The Clerk is **DIRECTED** to mail a copy of this Order to the Plaintiff by certified mail, return receipt requested, at his last known address as reflected on the docket sheet.

DATED: January 4, 2016



GINA M. GROH
CHIEF UNITED STATES DISTRICT JUDGE